

# STATE OF ALABAMA ETHICS COMMISSION



**ANNUAL REPORT**  
**FISCAL YEAR**  
**2013-2014**



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# **Annual Report**

**Fiscal Year  
2013-2014**

*for the*

**Alabama Ethics Commission**

*is presented to the*

**Governor**

*and the*

**Alabama Legislature**

*in compliance with*

**Section 36-25-3(c), Code of Alabama, 1975**

**Alabama Ethics Commission**

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100 North Union Street  
Montgomery, Alabama 36104

Telephone: 334.242.2997

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Web Site: [www.ethics.alabama.gov](http://www.ethics.alabama.gov)

**James L. Sumner, Jr., Director**



# STATE OF ALABAMA ETHICS COMMISSION



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MONTGOMERY, AL  
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STREET ADDRESS  
RSA UNION  
100 NORTH UNION STREET  
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## COMMISSIONERS

Brig Gen (R) Edward F. Crowell (USAF), Chair  
V. Larkin Martin, Vice-Chair  
James Jerry Wood, Esq.  
Stewart Hill Tankersley, M.D.  
Jerry L. Fielding, Ret. Sr. Circuit Judge

Thomas B. Albritton  
Director

April 24, 2015

TELEPHONE (334) 242-2997  
FAX (334) 242-0248  
WEB SITE: [www.ethics.alabama.gov](http://www.ethics.alabama.gov)

The Honorable Robert J. Bentley, Governor  
State of Alabama  
Montgomery, Alabama 36130

Dear Governor Bentley:

On behalf of the Alabama Ethics Commission, I respectfully present to you and the Alabama Legislature our Annual Report for Fiscal Year 2013-2014, in compliance with Section 36-25-3(c), Code of Alabama, 1975. Included are details of our actions during the year as we strive to fulfill the responsibilities with which we are charged.

Our Commissioners and Staff are very proud of our accomplishments during this fiscal year, and following are some of the highlights:

- **293** Complaints were filed with the Commission
- **44** Cases were presented to the Commission
- **4** Formal and **129** Informal Opinions were rendered by the Commission
- **36,154** Statement of Economic Interests forms filed with **88.24%** filed electronically
- **615** Lobbyists registered with **782** Principals represented; **93.98%** registered on-line
- **\$15,150.00** collected in Fines and Restitution
- **\$76,650.00** deposited into the General Fund

Our Commissioners and Staff are committed to fulfilling our responsibilities to the citizens of the state of Alabama to the fullest extent possible and greatly appreciate your support of the Alabama Ethics Commission.

Sincerely,

Thomas B. Albritton  
Executive Director

## PURPOSE, POWERS AND DUTIES

The Alabama Ethics Commission was established in 1973 by Act No. 1056 of the Alabama Legislature which has subsequently been amended by Acts 75-130, 79-460, 79-698, 82-429, 86-321, 92-342, 95-194, 96-261, 97-651, 2000-797, 2001-474 and Act Nos. 2010-462, 2010-763, 2010-764, 2011-259, 2011-632, 2011-674, 2012-433, 2012-509, 2013-172, 2014-71 and 2014-440.

*The Mission of this law is to ensure that public officials are independent and impartial; that decisions and policies are made in the proper governmental channels; that public office is not used for private gain; and, most importantly, that there is public confidence in the integrity of government.*

With confirmation from the Alabama Senate, members of the Alabama Ethics Commission are appointed by the:

**Governor**  
**Lieutenant Governor**  
**Speaker of the Alabama House of Representatives**

### Duties and Responsibilities of the Commission

<b>Furnish Disclosure Forms</b>	<b>Register Lobbyists and Principals</b>	<b>Make Statement of Economic Interests Forms Available to Public</b>
<b>Investigate Alleged Violations</b>		<b>Issue and Publish Advisory Opinions</b>
<b>Present Educational Programs</b>	<b>Preserve Statement of Economic Interests Forms</b>	<b>Promulgate Rules and Regulations</b>

# Commissioners

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## **Anthony Humphries Chair**

**Term Expires 2014**

Anthony Humphries was confirmed by the Alabama Senate on April 23, 2009, to serve a term on the Alabama Ethics Commission that began on September 1, 2009, and ends on August 31, 2014. He was elected to serve as Vice-Chair at the August 1, 2012 meeting and served in that position until he was elected Chair at the August 1, 2013 meeting.

Mr. Humphries graduated from Good Hope High School in Cullman County in 1973. He received a B.A. degree in Political Science from Auburn University in 1977 and graduated from the Graduate School of Banking at LSU in 1988. He, along with a group of business leaders in Calhoun County, organized a new community bank in 2005. Mr. Humphries has served as the Bank's President & CEO and as a member of the Bank's Board of Directors since September 2005. He has over 30 years of banking experience in the Calhoun County market. He also served on Governor Riley's cabinet as Superintendent of the Alabama Banking Department from 2003 to 2005. Mr. Humphries began his banking career with SouthTrust Bank, gaining experience as he progressed from man-

agement trainee to Assistant Vice President, Vice President and Senior Vice President/Senior Lending Officer. After 6 years with SouthTrust, he was hired by AmSouth Bank where he served as the Senior Vice President/Commercial Banking Sales Manager for 13 years. In 1997, he returned to SouthTrust Bank as the market CEO.

Mr. Humphries volunteers his time with several organizations throughout Calhoun County and the surrounding areas. He is on the Board of Directors of the First National Bankers Bank-Alabama, the Community Bankers Association of Alabama, the Northeast Alabama Regional Medical Center, the Anniston Museum of Natural History Foundation, the Knox Concert Series and the Anniston Country Club. He is a former Chairman of the Calhoun County Chamber of Commerce and serves now as Chairman of its Transportation Task Force. Mr. Humphries is the Vice Chairman of the McClellan Development Authority, the entity charged with the redevelopment of the former Fort McClellan. He is a member of the Anniston Rotary Club and the Oxford Quarterback Club and serves as a Trustee for the Women's Missionary Union (WMU). He is an active member of the First Baptist Church of Oxford where he serves as a Deacon. He is married to the former Cristy Chase and has two sons and one granddaughter.



# Commissioners

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## **Dr. Jewell Winlock Henderson** **Vice-Chair** **Term Expires 2015**

Dr. Jewell Winlock Henderson was confirmed by the Alabama Senate on May 5, 2011, to serve a term on the Alabama Ethics Commission that began on September 1, 2010, and ends on August 31, 2015. She was elected to serve as Vice-Chair at the August 6, 2013 meeting. She resigned her position as a Commissioner on January 15, 2014.

Dr. Henderson is a native of Tuscaloosa and the oldest daughter of the late Mr. Minor and Mrs. Annie Winlock. Her early childhood was spent in a family of six siblings. After attending school in Tuscaloosa and graduating from Druid High School, she attended Alabama State University, Montgomery, Alabama for two years as a Business Administration/Accounting Major. Jewell completed her undergraduate degree in Business Administration at

Tennessee State University in Nashville, Tennessee. Upon graduation, she moved to southern California where she resided for 40 years and ultimately relocated to Montgomery, Alabama in 2003. Upon her return to Montgomery, she accepted a position as Assistant Professor in Educational Foundation, Leadership and Technology in the College of Education at Auburn University in Auburn, Alabama and served in the position from 2003 until 2008. She was responsible for teaching doctoral level classes and serving on doctoral level dissertation committees.

While residing in California, Dr. Henderson earned a Master's Degree in School Administration from Loyola Marymount University in Los Angeles, California. Her Doctoral Degree in Public Administration (DPA) was earned in 1990 from the University of LaVerne in LaVerne, California. She served as a mathematics classroom teacher at several middle schools, a regional advisor with a dropout prevention focus



# Commissioners

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## **Dr. Jewell Winlock Henderson**

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with the Los Angeles Unified School District, a high school dean and an elementary school principal with the West Covina Unified School District (both in Los Angeles County). In addition, she served as an Assistant Inspector General for the Department of Transportation as a Financial Auditor from 1982 to 1987, examining/auditing grants awarded by the U. S. Department of Transportation in Region IX.

Currently she is President of C & J Enterprises, LLC (Educational Consultants responsible for designing and delivering unique, professional development services to school districts). The emphasis is on improvement of classroom instruction in mathematics for all students, providing in-service for potential teachers preparing

to take the ETS Praxis examination, and individual consultation to doctoral students concerning their research and dissertations.

Dr. Henderson's professional affiliations include National Council Teachers of Mathematics, Phi Delta Kappa, Council for Leaders in Alabama Schools (CLAS), Association for Supervision and Curriculum Development (ASCD), Institute of Electrical and Electronic Engineers (IEEE) and the National Middle School Association.

Her community involvement includes Class XXI Leadership Montgomery, One Montgomery, the Fortitude Foundation, Montgomery Education Foundation and Delta Sigma Theta Sorority.

She was married for 30 years to the late Charles A. Henderson.

# Commissioners

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## **Timothy P. Chinaris, Esq.** **Term Expires 2016**

Timothy P. Chinaris was appointed by Governor Robert Bentley on February 13, 2013 to begin serving immediately the unexpired term of David Byrne on the Alabama Ethics Commission that began on September 1, 2011, and ends on August 31, 2016. Mr. Chinaris resigned his position effective March 31, 2014 to begin teaching at Belmont University College of Law in Nashville, Tennessee.

Mr. Chinaris is Associate Dean for Academic Affairs and Information Resources, Director of Law Library and Professor of Law at Thomas Goode Jones School of Law where he directs the law library and teaches courses that include Legal Ethics and Professional Responsibility, Insurance Law, and Antitrust Law. He previously served as Assistant Dean for Information Resources at Appalachian School of Law in Grundy, Virginia and as Associate Dean for Information Resources and Technology at Florida Coastal School of Law in Jacksonville, Florida.

Professor Chinaris was Ethics Director of the Florida Bar from 1989-1997, where his responsibili-

ties included overseeing the bar's popular "ethics hotline" service, which answers 20,000 phone calls per year from Florida Bar members. Professor Chinaris has a bachelor's degree in Business Administration from Florida State University, received his Juris Doctor with Honors from the University of Texas School of Law, and earned his master's degree in Library and Information Studies from Florida State University. He is admitted to practice law in Alabama, Florida, and Texas. After graduating from law school, he clerked for the Texas Court of Appeals. Professor Chinaris was an associate with the Dallas law firm of Godwin and Carlton, P.C. before accepting a position with the Florida Bar in 1986.

Professor Chinaris writes on legal ethics for various publications, and speaks to local, state, and national organizations on a wide range of professional responsibility issues. He is a member and past chair of the Professional Ethics Committee of the Florida Bar, a member of the Alabama State Bar Unauthorized Practice of Law Committee, and is active in legal and librarianship organizations. He served as an expert witness in the first case decided under the Sarbanes-Oxley Act. He authors the comprehensive legal ethics website "sunEthics.com."

# Commissioners

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**Stewart Hill Tankersley,  
M.D.**  
**Term Expires 2017**

Stewart Hill Tankersley, M.D. was confirmed by the Alabama Senate on February 14, 2013, to serve a term on the Alabama Ethics Commission that began on September 1, 2012 and ends on August 31, 2017.

Dr. Tankersley is a fourth generation physician serving the citizens of the Montgomery area like those before him. After graduating from Auburn University with a major in History, he enlisted in the Army before going to medical school at UAB. He then completed two years in OB/GYN training before he and his wife spent a year training as Christian missionaries. After this brief hiatus, he returned to Montgomery and completed a residency in Family Medicine in 2002. Since then, he has enjoyed providing care locally with the exception of three deployments in the United States Army's Medical Corp during the War On Terror. He

received awards for each of his deployments. Currently he serves as a Colonel in the Alabama Army National Guard.

Since finishing residency he served nine years on the board of the Montgomery County Medical Society, where he was honored to serve as President in 2010. As a result of this position – during this turbulent year in medicine – he became well acquainted with the dramatic changes that were legislated on our country's medical system as well as the country at large.

Dr. Tankersley was honored by Governor Robert Bentley in 2013 when he appointed Dr. Tankersley to serve a five year term on the Alabama Ethics Commission.

Besides being involved in church activities, Dr. Tankersley enjoys reading and spending time with his family enjoying the excitement and challenges of raising three young children, with the biggest blessing of his life – Rebekah.

# Commissioners

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## **Josephine M. Venable** **Term Expired 2013**

Josephine M. Venable was confirmed by the Alabama Senate on May 28, 2008 for a term which began September 1, 2008 and expired August 31, 2013. She was elected Vice-Chair at the February 2, 2011 Commission meeting and served in that position until she was elected Chair at the August 1, 2012 meeting. Mrs. Venable continued to serve until her successor was confirmed by the Alabama Senate in January of 2014.

Mrs. Venable is a native of Clio, Alabama where she graduated from Barbour County High School. She received a Bachelor of Science degree with Education Certification in Physics, Chemistry and Biology from the University of Alabama in 1961. She taught advanced science and biology in Montgomery before moving with her husband, the late Honorable Jack B. Venable, to Washington, D. C. In 1970 they purchased *The Tallahassee Tribune* in Tallahassee, Alabama at which time Mrs. Venable became Co-Owner and Associ-

ate Publisher. After the death of her husband, she continued the newspaper as Publisher and Editor. She sold *The Tribune* in 2007 and remains as Editor Emeritus. She has been an active member of the Alabama Press Association for many years, being named to various committees. Mrs. Venable has served her community as President of the Tallahassee Chamber of Commerce and Secretary/Treasurer of the Tallahassee Industrial Development Board. She has also served as Chairman of the Community Hospital Board of Directors as well as Chairman of the Alabama Council of Hospital Trustees. She continues her service with the board of Community Hospital as a member of the Executive and Finance Committees. She is a member of the Advisory Board, Elmore Division, BankTrust. Mrs. Venable is a member of First United Methodist Church of Tallahassee having served in many areas including Board of Trustees and Lay Leader. She has been named to numerous other community boards and committees. Mrs. Venable and her late husband have two children, daughter Cameron, son-in-law Steve and son Ben.

# Commissioners

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## **V. Larkin Martin** **Term Expires 2018**

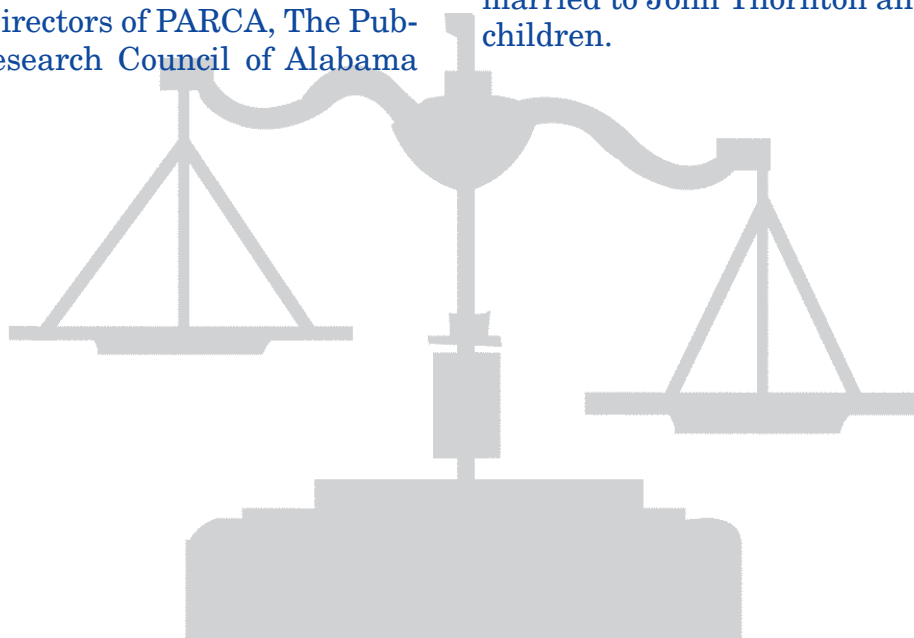
V. Larkin Martin was confirmed by the Alabama Senate on January 23, 2014, to serve a term on the Alabama Ethics Commission that began on September 1, 2013 and ends on August 31, 2018.

V. Larkin Martin manages her family's row crop farming operation in Lawrence County, Alabama. In addition to her farming responsibilities, Ms. Martin holds and has held a number of positions off of the farm. She is currently a Director of Rayonier Inc., a NYSE traded timberland REIT in Jacksonville, FL and a Trustee and Member of the Executive Committee of The Farm Foundation, a Chicago based, non-advocacy, public charity that promotes objective analysis on issues critical to the future of agriculture, food systems and rural communities. She is a member of the Board of Directors of PARCA, The Public Affairs Research Council of Alabama

and on the Board of Trust of Camp Merrie-Woode, a summer camp for girls in North Carolina. She is also involved at a leadership level in local business, civic and community organizations.

A partial list of past responsibilities includes serving as a Director and past Chairman of the Federal Reserve Bank of Atlanta, a Director and past Chairman of The Cotton Board, the national check-off program for cotton, a Director of The Alabama Chapter of The Nature Conservancy and a Director of Leadership Alabama. Ms. Martin was named an Eisenhower Fellow in 2012.

After graduating from Vanderbilt with a BA degree and prior to returning to the farm Ms. Martin lived in Washington, DC and held jobs at the US Treasury Department and with Arthur Andersen. She is married to John Thornton and they have 4 children.





# Commissioners

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## **Brig Gen (R) Edward F. Crowell (USAF)** **Term Expires 2015**

Edward F. Crowell was appointed by Governor Robert Bentley on February 10, 2014, to serve on the Alabama Ethics Commission filling the unexpired term of Dr. Jewell W. Henderson that began on September 1, 2010 and ends on August 31, 2015.

Edward Crowell, Senior Vice President and Facility Security Officer with over 30 years of experience in leadership and management. He served in the United States Air Force and Air Force Reserve for 35 years, 3 months, and 18 days consecutively without a break. He has also served concurrently in a number of positions in Industry for at least 25 of the years noted above while serving as a Reservist in the USAF. His military and civilian experience have provided an array of experience in the field of Aviation, Logistics, Space, and Military Academics as well as Engineering, Industrial Sales, Contracts Administration, Human Resources, Information Technology, Facility Management, and a host of other Industrial positions respectively. His philosophy of working hard and doing the best job proved meaningful in both his careers and afforded him to rise to the military rank of Brigadier General and Senior Vice President, 1 of top 2 positions in current Industrial Company.

Edward retired from the USAF at Maxwell

AFB in March 2009 where he had served as Commandant of the Air War College and Vice Commander of Air University while serving an extended tour of Active Duty and most recently as Mobilization Assistant to the Commander of Air University. He is recipient of the Legion of Merit and Distinguished Service Medal among a host of others. In his current position, he is responsible for working with the President and other officers to determine the company's growth and planning for the development of necessary resources. He serves as the principal officer in charge in the absence of the Present for overall company responsibility and is responsible for corporate and external affairs.

Edward is a proven leader and has lectured on the topic of leadership, management, and strategic initiatives to a number of businesses and organizations. He was appointed as a Trustee to the Troy University Board of Trustees by former Governor Bob Riley. He was appointed to the CON Board and the commission for Efficiency in State Government by Governor Robert Bentley. He is a member of the Board of Directors of Blue Cross Blue Shield of Alabama, the Montgomery Metro YMCA, AUM Advisory Board and Central Alabama OIC.

Edward is a graduate of Alabama State University (Business Administration & Economics), Troy University (MBA), Air University's Air Command & Staff College and Air War College. He also attended Auburn University School of Business. He is married to Ernestine Jordan Crowell. They have two children.



# Commissioners

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## **James Jerry Wood, Esq., CAE** **Term Expires 2016**

James Jerry Wood, Esquire, CAE was appointed by Governor Robert Bentley on March 10, 2014, to serve on the Alabama Ethics Commission effective April 1, 2014, filling the unexpired term of Mr. Timothy P. Chinaris that began on September 1, 2011 and ends on August 31, 2016.

Graduated Howard College, A.B. (1964); Cumberland School of Law, J.D. (1969)

President of Omicron Delta Kappa (1961); Member of Phi Delta Phi Legal Fraternity

Pastor, Calvary Baptist Church, Dadeville, Alabama (1960 – 1961)

Purchasing Agent and Assistant to the Business Manager of Howard College (1960-1966)

Administrator of the Department of Surgery, Medical College of Alabama and

Assistant to the Chairman of the Department of Surgery, John Webster Kirklin, M. D.,

The Charles and Faye Kerner Professor of Surgery (1966-1969)

Admitted to the Alabama State Bar in 1969; U.S. Supreme Court, 1976

Director of Legal and Legislative Affairs, Medical Association of Alabama (1969-70)

Assistant Attorney General for Mental Health (1970-72)

Assistant U. S. Attorney and Chief, Criminal Division, U.S. Attorney's Office in Montgomery (1972-1976)

Partner; Segrest, Pilgrim and Wood (1976 – 1977)

President of the Montgomery Chapter of the Association for Children with Learning Disabilities (1973-74)

President of the Montgomery Federal Bar Association (1974)

General Counsel for the Alabama Nurses Association (1978-1990)

Sole Practitioner of Law (1977 –1978)

President of Wood & Parnell, P.A. (1979-1990) - Montgomery law firm that employed forty people including eleven attorneys

President of the Montgomery Capital Rotary Club 1986-1987 and 1996- 1997

**James Jerry Wood, Esq., CAE**  
**Biographical Information**

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Served the Alabama State Bar as Chairman of the Committee on Character and Fitness for eight years; Chairman of the Taskforce on the Quality of Life for Lawyers; Chairman of the Citizenship Committee and as Chairman of Law Day

Member of the House of Delegates of The American Bar Association (governing body of the ABA from 1990 to 1998)

Life Patron Fellow of the American Bar Association (membership limited to 1/3 of 1% of the lawyers in a state); State Chair (2001)

Life Fellow, Alabama Law Foundation (2001)

Master Benchers, Honorary Member of the American Inns of Court, National Member

Member of the Alabama Law Institute

Member of the Alabama Defense Lawyers Association

Member of the Defense Research Institute

Member of the Legal Advisory Commit-

tee to the Director of the Department of Industrial Relations (1992-2011)

Listed in Who's Who in The World; Who's Who in American Law, America's Leading Lawyers, The Bar Register and is rated AV by Martindale-Hubbell, the oldest recognized rating directory for lawyers

Member, Alabama Council of Association Executives (Board Member 1994 – 1998; Secretary – Treasurer, 1999; Vice President, 2000; President 2001) and Member, American Society of Association Executives

Frequent lecturer on legal issues including estate planning, licensure and regulatory matters, worker's compensation issues and the worker's compensation law as last amended

President, Real Island Volunteer Fire Department, 1997, 1998 and 1999

Legal Advisor, Real Island Volunteer Fire Department, 1991- 1999

Chair, Personnel and Program Committee, Member of Board of Directors of Children's Harbor, (1990-1994; 1996 – 1999)

General Counsel, Home Builders Association of Alabama - 1991 - 2011

# Director

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## **James L. (Jim) Sumner, Jr.**

Mr. Sumner served as the Director of the Alabama Ethics Commission for 17 ½ years until his retirement on September 30, 2014. He was appointed to the position by the Commission in April, 1997. Mr. Sumner holds an additional appointment as a Deputy Attorney General.

From October, 1987 to April, 1997, Mr. Sumner served as Assistant to the Vice Chancellor for External Affairs of the University of Alabama System. The UA System is comprised of campuses in Tuscaloosa, Birmingham and Huntsville. At that time, the System had over 43,000 students, 18,500 employees and an annual budget exceeding \$1.35 billion.

From January to October, 1987, Mr. Sumner served as Vice President/Legislative Affairs for the Alabama Hospital Association.

Mr. Sumner was the Executive Assistant to the Lieutenant Governor and served as Chief of Staff in the Lieutenant Governor's Office from January, 1983 to January, 1987.

From January, 1979 to May, 1982, Mr.

Sumner served as Corporate Secretary and in-house counsel of Royal Cup, Inc. of Birmingham, the largest coffee roaster in the South.

Mr. Sumner served as an Assistant Attorney General from October, 1974 to January, 1979.

Mr. Sumner is a native of Jasper, Alabama and attended Jasper public schools and Walker County High School.

He graduated from the University of Alabama in 1970 with a Bachelor of Science Degree.

In 1974, Mr. Sumner received his Doctor of Jurisprudence Degree from Cumberland School of Law at Samford University.

Before joining the Attorney General's staff, Mr. Sumner served for three years as Administrative Assistant to the Chairman of the Democratic Party in Alabama, Robert S. Vance. Vance was later appointed by President Carter to the U. S. Court of Appeals for the Eleventh Circuit.

Mr. Sumner holds membership in the American Bar Association and the Alabama State Bar.

# Director

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**James L. Sumner, Jr.**

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He is a Founding Member of the Alabama State Bar Section on Elections, Ethics and Government Relations Law, 2011 – Present.

In 2007, Mr. Sumner was awarded the Douglass Cater Public Service Award by the Department of Political Science and Public Administration at Auburn University at Montgomery.

Mr. Sumner was named 2011 James T. Pursell, Sr. Distinguished Fellow in Ethics

by the College of Business at Auburn University.

In 2013, Mr. Sumner was presented the COGEL Award by the Council on Governmental Ethics Laws, an organization of governmental ethics agencies throughout the U.S. and Canada. The COGEL Award is awarded annually to an individual who has made a significant contribution to the field of ethics.

He is married to Deanna Benefield Sumner of Huntsville and they have three adult children: Matthew, Amelia and Aaron.

# ETHICS COMMISSION STAFF

## Legal Division

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**Hugh R. Evans, III, General Counsel**

Julie Davis, Executive Secretary and Recording Secretary

Theresa Davis, Legal Research Assistant

## Investigative Division

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**Charles A. Aldridge, Chief Special Agent**

Tony Goubil, Special Agent

Rick Lambert, Special Agent

Dustin Lansford, Special Agent

Vicki Wilson, Special Agent

Leigh Ann Cleckler – ASA III

## Finance & Administrative Division

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**Barbi Lee, Chief**

Austin Gilmore, Laborer

April Innes, ASA I

Vicky Manning, Lobbyist Liaison

Ashley Thomas, Account Clerk

Loretta Webb, ASA I

Janice Wolfe, ASA I

## Expenditures for Fiscal Year 2014 October 1, 2013 - September 30, 2014

EXPENDITURE	Fiscal Year 2014 Appropriation	13th Accounting Period	Outstanding Purchase Orders	Rollover to FY 15	TOTAL Expenditures	Percent
Personnel Costs	1,033,037.00	0.00	0.00	(69,888.69)	963,148.31	54.31%
Employee Benefits	421,705.00	0.00	0.00	(13,335.66)	408,369.34	23.03%
Travel In-State	29,000.00	294.71	0.00	(23,200.00)	5,800.00	0.33%
Travel Out-of-State	31,000.00	0.00	0.00	(25,268.48)	5,731.52	0.32%
Repairs and Maintenance	14,700.00	442.45	382.83	(10,400.00)	4,300.00	0.24%
Rentals and Leases	265,300.00	3,478.54	1,041.00	(103,000.00)	162,300.00	9.15%
Utilities and Communication	55,800.00	23,475.42	408.60	(20,000.00)	35,800.00	2.02%
Professional Services	226,300.00	7,101.03	158.75	(195,000.00)	31,300.00	1.77%
Supplies, Materials, and Operating Expenses	277,348.00	4,214.43	0.00	(236,000.00)	41,348.00	2.33%
Transportation Equipment Operations	77,500.00	4,181.57	1,400.79	(45,000.00)	32,500.00	1.83%
Transportation Equipment Purchases	100,000.00	0.00	0.00	(25,228.00)	74,772.00	4.22%
Other Equipment Purchases	100,000.00	0.00	0.00	(92,012.00)	7,988.00	0.45%
	<b>2,631,690.00</b>	<b>43,188.15</b>	<b>3,391.97</b>	<b>(858,332.83)</b>	<b>1,773,357.17</b>	<b>100.00%</b>

The annual cost of the Alabama Ethics Commission (based on state population of 4.85 million) is 36.6 cents per person.

The annual cost of the Alabama Ethics Commission (based on 306,783 public officials and public employees covered by the Ethics Law) is \$ 5.78 per person.

Original FY 14 Budget Appropriation  
Rollover from FY 13

1,749,642.00  
882,048.00

**Total FY 14 Appropriation**

**2,631,690.00**

**Total FY 14 Expenditures**

**(1,773,357.17)**

**Rollover to FY 15**

**(858,332.83)**

**Remaining Balance**

**0.00**

13th Acct Period Overage

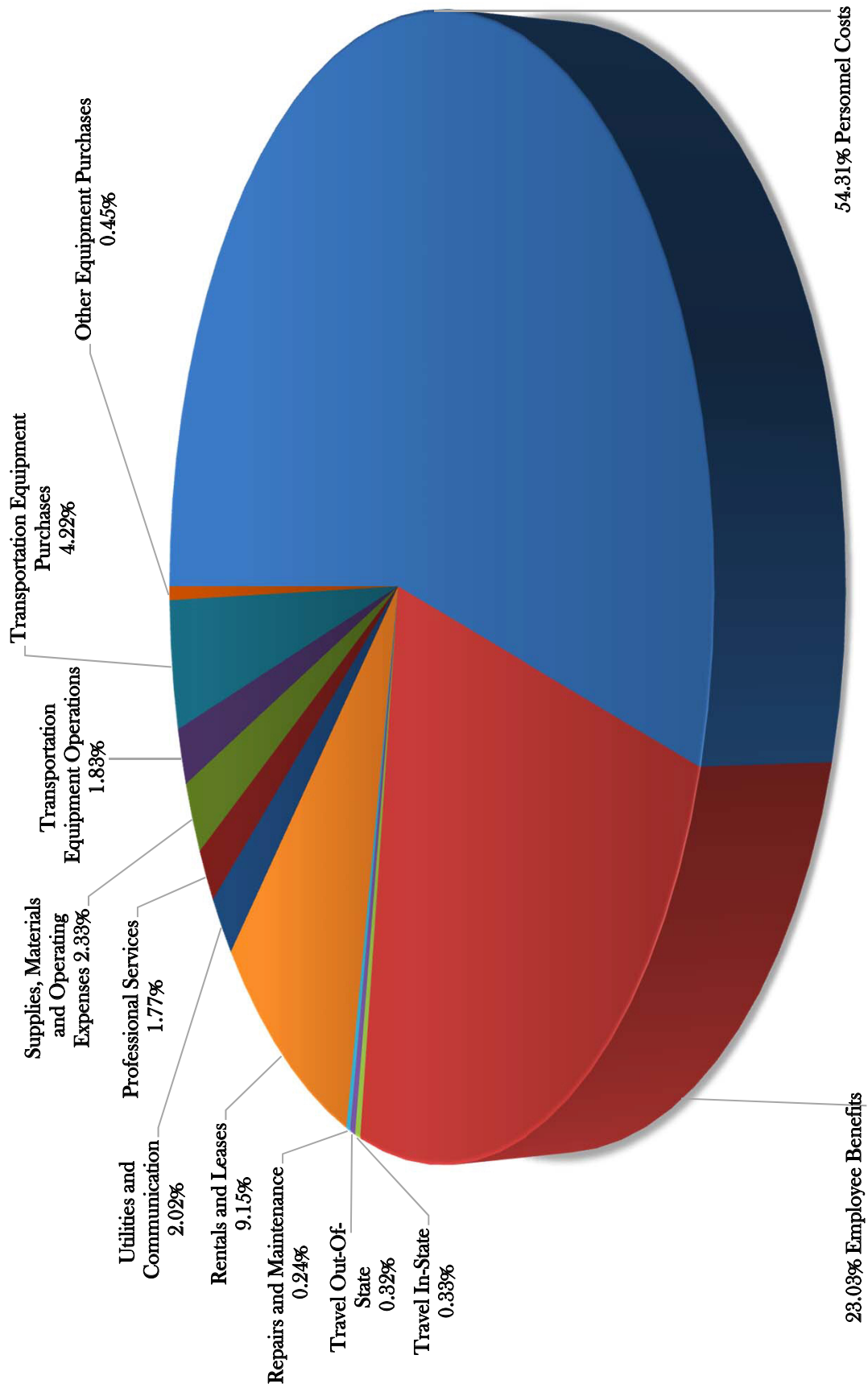
5,543.54

Reversion to General Fund

5,543.54



# Expenditures By Percentages - Fiscal Year 2014



# ANNUAL COMPARISONS FISCAL YEARS 2013 AND 2014

	Fiscal Year 2013	Fiscal Year 2014
Commission Meetings Held	6	9
Educational Programs Presented	26	18
Statements of Economic Interests Forms Received	37,588	36,154
Formal Advisory Opinions	8	4
Informal Advisory Opinions	108	129
Registered Lobbyists	615	615
Principals Represented by Lobbyists	802	782
Complaints Filed with Ethics Commission	309	293
Complaints Closed After Preliminary Inquiry	329 <sup>1</sup>	288 <sup>1</sup>
Cases Presented to Commissioners	70	44
Cases Closed by Ruling of Commissioners	1	2
Cases Forwarded to District Attorney or Attorney General	14	16
Administrative Penalties Assessed by Ethics Commission	37	24
Fines Collected by Ethics Commission	\$13,925.00	\$15,150.00
Restitution Collected	\$21,744.83	\$10,315.91
Lobbyists' Fees Collected	\$62,000.00 <sup>2</sup>	\$61,500.00
Refunds Against Disbursement	0.00	14.00
Miscellaneous Fees Collected	\$ 30.00	\$ 23.67
General Fund Deposits	\$75,925.00	\$76,650.00
Staff Members	17	17

<sup>1</sup> Includes complaints/cases that were received prior to October 1, but closed during the current fiscal year.

<sup>2</sup> Actual Receipts \$61,500, but \$500 deposited into Fiscal Year 13 due to FY 12 Registrations.

## SIGNIFICANT EVENTS FOR FY 2014

# HAPPY RETIREMENT



*Governor Robert Bentley presented Jim a Retirement Proclamation at the Old Archives Room in the State Capitol on September 24, 2014.*



*On behalf of the Commission Members and Staff of the Alabama Ethics Commission, Barbi Lee, Chief, Finance and Administrative Division, presents Mr. Sumner with a Plaque of Appreciation for his 17+ years of Service to the Alabama Ethics Commission.*

**Congratulations and Best Wishes for a Healthy,  
Happy Retirement!!!**

**Executive**

## SIGNIFICANT EVENTS FOR FY 2014

James “Jim” L. Sumner, Jr. retired from the Alabama Ethics Commission effective October 1, 2014 after 17 ½ years’ service to the Alabama Ethics Commission and 40 years of service to the State of Alabama. Jim began his service with the State of Alabama in October 1974 in the Attorney General’s Office and served in that position until January 1979. He returned to state service in 1983 as Executive Assistant to the Lieutenant Governor and served as Chief of Staff in the Lieutenant Governor’s Office until 1987. From October, 1987 to April, 1997, Mr. Sumner served as Assistant to the Vice Chancellor for External Affairs of the University of Alabama System. He finished his very distinguished career at the Alabama Ethics Commission where he served as Director from April 26, 1997 until his retirement.

Jim attended 147 Commission Meetings and had the pleasure of working with 27 of the 47 Commission members who have served since 1973. There were four Gubernatorial Administrations during his tenure. Jim made 437 public appearances and taught more than 1,000 Ethics Seminars.

### **Major Accomplishments during Mr. Sumner’s tenure:**

#### Ethics Reforms of 2010 and 2011

- Granting Subpoena Power to the Ethics Commission for the first time in its history
- Significantly reducing the amount a lobbyist could spend on a public official or employee
- Mandatory Ethics Training for public officials and employees at the state and local levels of government
- Guaranteed Annual Budget for the Ethics Commission
- E-Filing Capability for public officials and employees as well as lobbyists and principals
- Implemented other electronic search tools to provide the public with greater access to information and accountability

**Executive**



## SIGNIFICANT EVENTS FOR FY 2014



*Josephine Venable is presented a Plaque of Appreciation by Director James Sumner of the Alabama Ethics Commission.*

Josephine M. Venable was confirmed by the Alabama Senate on May 28, 2008 for a term which began September 1, 2008 and expired August 31, 2013. She was elected Vice-Chair at the February 2, 2011 Commission meeting and served in that position until she was elected Chair at the August 1, 2012 meeting. Mrs. Venable continued to serve until her successor was confirmed by the Alabama Senate in January of 2014.

Mr. Sumner stated, *“Beyond any doubt, Jo Venable was one of the most dedicated and conscientious Commissioners who ever served. She provided the Commission and staff with strong and affirmative, yet kind and genteel, leadership.”*

A Big THANK YOU to Mrs. Venable for your service to the Alabama Ethics Commission and the citizens of Alabama.

# THANK YOU!!!

**Commissioner**

# SIGNIFICANT EVENTS FOR FY 2014

## **ADVISORY OPINIONS:**

- 4 Formal Advisory Opinions were drafted by the General Counsel and rendered by the Commission.
- 129 Informal Advisory Opinions were provided by the General Counsel.  
*These opinions are issued only when the question asked deals with a matter of black letter law or where the Commission has previously addressed the matter with a formal opinion.*
- All formal opinions may be read in their entirety at our website [www.ethics.alabama.gov](http://www.ethics.alabama.gov).

## **DIGEST OF ADVISORY OPINIONS**

### **AO NO. 2013-09**

An HABD employee/Birmingham City Councilor may not, as a City Council member, vote, attempt to influence or otherwise participate in financial issues between HABD and the City of Birmingham regardless of whether or not the property at issue is in the Council member's district.

### **AO NO. 2014-01**

The "Revolving Door" provisions of the Alabama Ethics Law do not prohibit the former State Trails Coordinator and Recreation and Conservation Programs Manager with the Alabama Department of Economic and Community Affairs (ADECA) from interacting with ADECA on behalf of the Department of Conservation and Natural Resources, as there is no personal gain involved, nor is there a financial benefit to the current employer.

A former ADECA Programs Manager may serve with the Department of Conservation and Natural Resources and interact with ADECA on behalf of the Department of Conservation and Natural Resources, as there is a public interest involved and there is no personal gain to the former ADECA employee or the current employer.

This opinion applies solely to a State employee representing their agency before another State agency. Any scenario other than that set out in this opinion will be addressed separately.

**Legal Division**



## **SIGNIFICANT EVENTS FOR FY 2014**

### **AO NO. 2014-02**

A member of the Legislature employed by Baptist Health System may undertake government relations in areas outside her legislative district; provided, that she does not use her office or the mantle of her office to obtain business opportunities for her employer.

A member of the Alabama House of Representatives may do business with public entities; provided, that the member of the Alabama House of Representatives is not personally and directly involved in any aspect of a transaction with public entities within her sphere of influence, including but not limited to, the solicitation or negotiation of contracts, as well as personally making contact with public entities, regardless of the means of contact, as her direct contact with those public entities would be a use of office for personal gain.

It would not violate the Alabama Ethics Law for a Legislator to extend her job responsibilities to government relations in areas outside her legislative district.

However, should any public entity which the Legislator is dealing with in her private-sector capacity have an issue pending before the Legislature, the Legislator may not vote, attempt to influence or in any manner participate in the legislative process regarding that entity or that issue.

Any contracts entered into by the Legislator's business which are paid in whole or in part by state, county or municipal funds, must be filed with the Ethics Commission within ten (10) days after the contract has been entered into.

### **AO NO. 2014-03**

An engineering firm owned in part by the spouse of the director of the Chambers County Development Authority, may contract to provide engineering services to the Chambers County Development Authority; however, the director may not vote, attempt to influence or in any manner participate in any contracts or issues between the Development Authority and the engineering firm.

A copy of any contract entered into between an engineering firm owned in part by the spouse of the director of the Chambers County Development Authority and Authority, and paid out of public monies, must be filed with the Ethics Commission within ten (10) days after its execution.

**Legal Division**

## **SIGNIFICANT EVENTS FOR FY 2014**

### **COMPLAINTS:**

- 293 Complaints were filed with the Ethics Commission
- 288 Complaints were closed by staff after Preliminary Inquiry  
*This number includes complaints received prior to October 1, 2013, but closed during the current Fiscal Year.*

### **CASE PRESENTATIONS:**

- 44 Cases were presented to the Commission
- 2 Cases were Closed with No Probable Cause
- 24 Cases were handled Administratively
- 16 Cases were forwarded to the Attorney General of Alabama or the appropriate District Attorney for further action
- 2 Cases were continued for further investigation

### **FINES AND RESTITUTIONS:**

- \$15,150 levied and collected by Commission from Investigations
- \$10,315.91 collected in Restitution recovered for State, County and Municipal Entities from Investigations

**Investigative Division**

# SIGNIFICANT EVENTS FOR FY 2014

## STATEMENTS OF ECONOMIC INTERESTS:

The Alabama Ethics Law requires a Statement of Economic Interests Form to be filed no later than April 30<sup>th</sup> of each year covering the preceding calendar year for individuals who fall into one of 25 categories.



In Fiscal Year 2014:

- 36,154 forms filed with the Ethics Commission
- 31,903 forms or 88.24% were filed online
- Electronic Filing Percentage Increase = 1.64%

## LOBBYIST REGISTRATIONS:

The Alabama Ethics Law requires all lobbyists to register with the Commission by January 31<sup>st</sup> of each year or within 10 days after the first undertaking requiring such registration.



In Fiscal Year 2014:

- 615 Lobbyists registered with the Ethics Commission
- 782 Principals were represented
- 578 people or 93.98% registered electronically
- Electronic Filing Percentage Increase = 2.92%

### **Top 10 Lobbying Subjects**

- |                       |                                    |
|-----------------------|------------------------------------|
| 1. Education          | 6. Energy                          |
| 2. Health/Health Care | 7. Utilities                       |
| 3. General Business   | 8. Business, Industry & Commerce   |
| 4. Insurance          | 9. Economic/Industrial Development |
| 5. Environmental      | 10. Budget Appropriations          |

**Finance & Administrative Division**

## **SIGNIFICANT EVENTS FOR FY 2014**

### **ACCESS TO COMMISSION RECORDS:**



- Our Website, [www.ethics.alabama.gov](http://www.ethics.alabama.gov) had 68,234 visits.
- 55 Requests Received to Review 1,288 Lobbyists Registrations

### **EDUCATIONAL PROGRAMS:**

- 4,105 Public Officials and Public Employees trained through agency website on-line Ethics Seminar
- 1,676 Individuals trained on Ethics Law in Live Setting
- 80 NEW Lobbyists trained on Ethics Law
- 18 Ethics Seminars and Educational Programs Presented

**Finance & Administrative Division**

# COMMISSION MEETING HIGHLIGHTS

## **October 2, 2013, Montgomery, Alabama**

The Commission, chaired by Anthony Humphries, was presented five cases. One was handled administratively, three were referred to the local District Attorney for further action, and one was referred to the Attorney General's Office for further action.

## **December 4, 2013, Montgomery, Alabama**

Eleven cases were presented. Nine were handled administratively, one was referred to the local District Attorney for further action, and one was referred to the Attorney General's Office for further action.

## **February 5, 2014, Montgomery, Alabama**

Mr. Humphries welcomed Larkin Martin to her first meeting. Seven cases were presented. Three were handled administratively, one was closed with no probable cause, one was referred to the local District Attorney for further action, one was referred to the Attorney General's Office for further action, and one was continued for further investigation.

## **April 2, 2014, Montgomery, Alabama**

Mr. Jerry Wood was welcomed to his first meeting by Chair Humphries. Three cases were presented. One was handled administratively, one was referred to the local District Attorney for further action and one was continued for further investigation.

## **June 4, 2014, Montgomery, Alabama**

Mr. Humphries welcomed General Edward F. Crowell to his first meeting. Mr. Sumner announced his intention to retire as Director of the Commission, after 17 ½ years in the position and 40 years of public service, effective October 1, 2014. The Commission heard seven cases. Five were handled administratively, one was referred to the Attorney General's Office for further action, and one was closed with no probable cause.

## **COMMISSION MEETING HIGHLIGHTS**

### **July 9, 2014, (Special-Called) Montgomery, Alabama**

A called meeting of the Alabama Ethics Commission was held on July 9, 2014 at the east Montgomery office of RiverBank & Trust. The purpose of the meeting was to begin the organization process relative to the appointment of the Director of the Commission given Mr. Sumner's announced retirement. Commissioner Larkin Martin was selected as Chairperson and General Edward Crowell was selected as Vice Chairperson of the Selection Committee.

### **August 6, 2014, (Special-Called) Montgomery, Alabama**

A called meeting of the Alabama Ethics Commission was held on August 6, 2014 at 8:45 a.m. in the conference room of the Alabama Ethics Commission. The purpose of the meeting was to discuss the status of the process relative to the appointment of the Director of the Ethics Commission and to make any necessary decisions. A resolution was adopted establishing the Selection Committee as a Committee of the Whole. The Commission then discussed a proposed Job Description, a draft of a Position Vacancy Announcement and a draft of a Director of Ethics Commission Application. A job grade and corresponding pay range were discussed, as well as a proposed timeline to guide the selection process.

### **August 6, 2014, Montgomery, Alabama**

Meeting dates for 2014 were adopted. The Commission elected General Edward Crowell as Chair and Larkin Martin as Vice Chair of the Commission for September 2014 through August 2015. A Proclamation of Appreciation was presented by Mr. Humphries to Director Sumner. Eleven cases were presented. Five were handled administratively, three were referred to the local District Attorney for further action and three were referred to the Attorney General's Office for further action.

### **August 27, 2014, (Special-Called) Montgomery, Alabama**

A called meeting of the Alabama Ethics Commission was held on August 27, 2014 in the conference room of the Alabama Ethics Commission. The purpose of the meeting was to discuss the status of the process of appointing a new Director of the Commission, as well as an Interim Director. A proposed application for the Director position was approved. The period for receiving applications was set to open on September 1, 2014 and to close on September 30, 2014. It was also decided that the application forms and instructions would be placed on the State Ethics Commission and State Personnel Board websites. The Commission authorized General Crowell to contact Judge John Carroll regarding serving as Acting Director until a permanent Director could be confirmed by the Senate.



# ALABAMA ETHICS COMMISSION COMMISSIONERS

1973-1976	Donald Comer, III	1992-1995	Frank L. Mason
1973-1977	Dr. George E. Bagley	1992-1996	H. Dean Buttram, Jr.
1973-1978	Alto Lee, III	1992-1997	James T. Pursell
1973-1979	Dr. Leslie S. Wright	1993-1998	Henry B. Gray, III
1973-1975	Connie Entrekin	1994-1999	Camille S. Butrus
1977-1980	Maynard Layman	1995-2000	Helen Shores Lee, Esq.
1977-1981	Bester Bonner	1998-2002	John H. Watson
1978-1982	Dr. George E. Bagley	1998-2002	Lewis G. Odom, Jr., Esq.
1979-1982	Reverend John Vickers	1998-2003	Russell Jackson Drake, Esq.
1979-1983	Adolph Weil, Jr.	1999-2004	J. Harold Sorrells
1979-1984	Neil O. Davis	2000-2000	Dr. Cordell Wynn
1981-1985	William H. Lovin	2000-2005	Raymond L. Bell, Jr., Esq.
1981-1986	Edward C. Sherling, Jr.	2002-2008	Nancy Edwards Eldridge
1983-1988	Jack W. Boykin	2003-2008	John H. Cooper, Esq.
1983-1989	Dr. James J. Hicks	2004-2009	Cameron McDonald Vowell, Ph.D.
1984-1991	Dr. Cordell Wynn	2001-2010	Linda L. Green
1985-1992	Dr. Sandra K. Martin McLeod	2005-2012	Michael K. K. Choy, Esq.
1986-1992	James H. Anderson, Esq.	2007-2013	Braxton L. Kittrell, Jr.
1987-1992	J. Ray Warren	2010-2011	Rebekah Elgin-Council
1989-1993	Lee McGriff	2012-2013	David B. Byrne, Esq.
1991-1994	Whit Armstrong		

## ***Commissioners for Fiscal Year 2013-2014***

2009-2014	Anthony Humphries**
2011-2015	Dr. Jewell W. Henderson
2011-2016	Timothy Chinarris, Esq.
2012-2017	Stewart Hill Tankersley, MD
2008-2013	Josephine M. Venable**
2014-2015	V. Larkin Martin
2012-2017	Brig Gen (R) Edward F. Crowell (USAF)
2014-2016	James Jerry Wood, Esq., CAE

*\*\*Mr. Humphries and Mrs. Venable continued to serve until a replacement was confirmed by the Alabama Senate.*

# ALABAMA ETHICS COMMISSION DIRECTORS

**1997 – September 30, 2014**  
**James L. Sumner, Jr., *Director***

**February – April 1997**  
**Hugh R. Evans, III, *Acting Director***

**1994 – 1997**  
**E. J. “Mac” McArthur, *Director***

**April – September 1994**  
**Howard McKenzie, *Acting Director***

**1974 – 1994**  
**Melvin Cooper, *Director***

